

## **REMARKS**

Reconsideration of the above-identified patent application in view of the amendment above and the remarks below is respectfully requested.

Claims 6 and 23 have been canceled in this paper. Claim 1 has been amended in this paper. No new claims have been added in this paper. Therefore, claims 1-5 and 7-22 are pending and are under active consideration.

Claims 1, 4, 6-8, 11 and 13-14 stand rejected under 35 U.S.C. 102(b) "as being anticipated by Sevcik et al. (US 5,655,312)." In support of the rejection, the Patent Office states the following:

Sevcik is considered to disclose the claimed invention comprising: an apparatus **2** for curing radiation curable coatings, which has at least one irradiation chamber **6** provided with a plurality of UV radiation sources **16**, wherein a plurality of UV radiation sources are arranged close to one another and interconnected to form one or more irradiation modules, the aluminance inside an irradiation module and/or between at least two irradiation modules being spatially variable (please see column 2 lines 15-27 wherein the disclosed reflector structure is considered to anticipate the claimed spatial variability because both perform the same function, in the same manner with the same result). Sevcik is also considered to disclose the claimed ventilation system **4**. (Emphasis in original.)

Later in the Office Action, the Patent Office states the following:

Applicants also argue that the primary reference Sevcik does not disclose a plurality of UV radiation sources. However in column 2 line 17 of that reference, the disclosed bulbs inherently discloses the argued plurality because both are considered more than one or a plurality.

Applicants further argue that one or more modules is not found in Sevcik, but at column 2 line 26, the disclosed mounting means is considered to anticipate the claimed one or more modules for two reasons. First, the claim is not limited to more than one, so a single mounting mean anticipated the claimed module. Second, mounting means can be broadly and reasonably construed to include more than one mean or modules.

Finally, current Office practice allows broadest reasonable claim interpretation in light of the specification. In this case, the claimed feature of spatially variable is defined in the specification such that spatial variability can be set by enveloping surfaces of radiation sources of a single module (specification page 3 line 10). Under this definition, the disclosed door and slide plate at column 3 line 41-66 of Sevcik is considered to anticipate the claimed spatial variable because both are considered to fulfill the argued purpose and function of enveloping or covering the irradiation module. Another specification definition of spatial variability is a spatial arrangement relative to one another to realize a multiplicity of geometric arrangements. The second anticipatory rejection addresses this other spatial variable feature definition.

Insofar as the subject rejection pertains to claim 6, the rejection is moot in view of Applicants' cancellation herein of claim 6. Insofar as the subject rejection pertains to claims 1, 4, 7-8, 11, and 13-14, Applicants respectfully traverse the subject rejection. Claim 1, from which claims 4, 7-8, 11 and 13-14 depend, has been amended herein and now recites "[a]n apparatus for curing radiation-curable coatings, which has at least one irradiation chamber provided with a plurality of UV radiation sources, wherein a plurality of UV radiation sources are arranged close to one another and interconnected to form at least two irradiation modules, the illuminance inside an irradiation module and/or between at least two irradiation modules being spatially variable in such a way that at least one irradiation module is capable of movement about at least one of its axis."

Claim 1 is neither anticipated by nor rendered obvious over Sevcik et al. for at least the reason that Sevcik et al. does not teach or suggest an apparatus for curing radiation-curable coatings that includes, amongst other things, a **plurality** of UV radiation sources arranged to form **at least two** irradiation modules. Instead, Sevcik et al. is directed at an apparatus that includes a **single** UV lamp bulb 16. Sevcik et al. provides absolutely no teaching or suggestion to arrange a **plurality** of UV radiation sources to form **at least two** irradiation modules.

The Patent Office is apparently contending that it is reasonable to interpret col. 2, lines 15-27, of Sevcik et al. as providing a teaching of a plurality of UV radiation sources arranged to form a plurality of irradiation modules. For at least the reasons below, Applicants respectfully submit that such a reading of Sevcik et al. is in error. First of all, the passage in question reads as follows:

The UV curing unit 2 includes linear lamp bulb 16, which in the preferred embodiment is an arc lamp, although the invention may also be used with electrodeless bulbs. A focussing reflector such as an elliptical or parabolic reflector is provided. Referring to Fig. 1, an elliptical reflector is comprised of two portions 20 and 22 which are moveable between open and [sic:closed] positions. When open, they are effective to focus the light from bulb 16 on a focal plane located at web 24, which bears the ink or coating to be cured, and when closed (as shown in Fig. 1), they are effective to block the light from the bulb. The bulb and reflector structure is secured to mounting means 25, which slides in and out of box 27.

Taking the entire passage in context, it is clear that the language “although the invention may also be used with electrodeless bulbs” is not intended to convey that a plurality of electrodeless bulbs may be substituted *en masse* for the single arc lamp serving as linear lamp bulb 16. Instead, what is clearly intended by the language in question is that any **one** of a variety of different electrodeless bulbs may be substituted for the arc lamp. The Patent Office has not provided any reasonable support for its contention that the language in question covers a collection of electrodeless bulbs. To the contrary, Applicants note that, throughout the remainder of the passage in question, the bulb is always referred to as a single item and never as a collection of items. Moreover, as can readily be appreciated, if a collection of bulbs were used in the Sevcik apparatus, it would be rather complicated to focus the light therefrom using an elliptical or parabolic reflector in the manner taught by Sevcik et al. Consequently, in view of the above, Applicants respectfully submit that it is not reasonable to contend that Sevcik et al. teaches a plurality of UV radiation sources.

Moreover, to the extent that the Patent Office is apparently contending that Sevcik et al. discloses a plurality of modules because of the disclosure of “mounting means 25,” Applicants respectfully disagree. All that is said anywhere in the patent about “mounting means 25” is as follows: “The bulb and reflector structure is secured to mounting means 25, which slides in and out of box 27.” The Patent Office has provided no reasonable support for its contention that “mounting means” should be construed in the present case to teach a plurality of modules. If anything, the context in which the term is used suggests a singular item.

Accordingly, for at least the above reasons, the subject rejection should be withdrawn.

Claim 23 stands rejected under 35 U.S.C. 102(b) “as being anticipated by Rudd (US 5,901,462).” In view of Applicants’ cancellation herein of claim 23, the rejection is moot and should be withdrawn.

Claims 2, 5, 9, 12, 15-16, 18-20 and 22 stand rejected under 35 U.S.C. 103(a) “as being unpatentable over Sevcik.” In support of the rejection, the Patent Office states the following:

Sevcik is considered to disclose the claimed invention, as discussed above under the anticipatory rejection, except for the claimed wattage and angle. It would have been an obvious matter of design choice to claim a specific wattage or angle, since the wattage and angles claimed are not considered patentably distinct from the wattage and angles taught in the prior art cited in this application.

Applicants respectfully traverse the subject rejection. Claims 2, 5, 9, 12, 15-16, 18-20 and 22 depend from claim 1. Claim 1 is patentable over Sevcik et al. for at least the reasons given above. Therefore, claims 2, 5, 9, 12, 15-16, 18-20 and 22 are patentable over Sevcik et al. based at least on their respective dependencies from claim 1.

Accordingly, for at least the above reasons, the subject rejection should be withdrawn.

Claims 3, 10, 17 and 21 stand rejected under 35 U.S.C. 103(a) "as being unpatentable over Sevcik in view of Rudd et al. (US 5,634,402)." In support of the rejection, the Patent Office states the following:

Sevcik is considered to disclose the claimed invention, as discussed above under the anticipatory rejection, except for the claimed spectrum. Rudd is considered to disclose the claimed spectrum at column 4 lines 50-55. It would have been obvious to one skilled in the art to claim a specific spectrum for the purpose of optimizing the radiation curing coating of an object.

Applicants respectfully traverse the subject rejection. Claims 3, 10, 17 and 21 depend from claim 1. Claim 1 is patentable over Sevcik et al. for at least the reasons given above. Rudd et al. fails to cure all of the deficiencies of Sevcik et al. Therefore, based at least on their respective dependencies from claim 1, claims 3, 10, 17 and 21 are patentable over Sevcik et al. in view of Rudd et al.

Accordingly, for at least the above reasons, the subject rejection should be withdrawn.

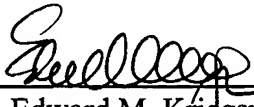
In conclusion, it is respectfully submitted that the present application is in condition for allowance. Prompt and favorable action is earnestly solicited.

If there are any fees due in connection with the filing of this paper that are not accounted for, the Examiner is authorized to charge the fees to our Deposit Account No. 11-1755. If a fee is

required for an extension of time under 37 C.F.R. 1.136 that is not accounted for already, such an extension of time is requested and the fee should also be charged to our Deposit Account.

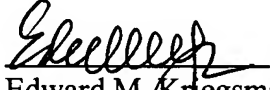
Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 29, 2005

  
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